



# SAVE A LIFE: Put The Cell Phone Down

*October 1: Cell Phone Use RESTRICTED  
While Driving in Maryland*

## MARYLAND CELL PHONE LAW FACT SHEET – EFFECTIVE OCTOBER 1, 2010

### 1. What is Maryland's Cell Phone Law that takes effect on October 1, 2010?

Maryland Senate Bill 321 and House Bill 934 were signed into law by Governor O'Malley and take effect Oct. 1. The new law prohibits all drivers in Maryland from using hand-held cell phones while operating a motor vehicle on a street or highway. Drivers under 18 already are prohibited from using cell phones at all while driving.

### 2. Are there any exceptions to the law?

Phone calls placed to 9-1-1, ambulance, hospital, fire, or law enforcement agencies are allowed, as are calls made by emergency and law enforcement personnel. A driver is allowed to turn a hand-held phone on or off and to initiate or terminate a call.

### 3. Is the law a primary offense?

The new law is a secondary offense, meaning a driver must first be detained for another offense, such as speeding or negligent driving, before he or she can be ticketed for a cell phone offense. However, "negligent driving" is a primary offense in Maryland and can be used as a precursor to citing violators of the new cell phone law.

### 4. What is the fine for the offense?

The fine for a first offense is \$40 and subsequent offenses are \$100. Points are not assessed to the first-time violator's driving record, except, three points are assessed if the violation contributes to a crash. If a violator has a second or subsequent offense, he or she receives a point plus the fine.

### 5. Is this the same law as the texting law?

Another law took effect in 2009 in Maryland that bans texting while driving. The primary texting law prohibits an individual from writing or sending text messages while operating a motor vehicle that is in motion or in the travel portion of the roadway. Violators may be assessed a fine not exceeding \$500. This law does not apply to texting 9-1-1 or using a global positioning system.

### 6. Why is this law needed?

Studies indicate that mobile phone conversations distract drivers and delay reaction time, which can cause and increase the severity of vehicular crashes. The National Safety Council estimates that cell phone use is responsible for 1.6 million crashes a year, nationally -- about 28 percent of all crashes. Maryland now joins seven other states (Calif., Conn., Del., N.J., N.Y., Ore. and Wash.), Washington D.C. and the Virgin Islands in banning hand-held cell phone use while driving. For more information, please visit [www.ChooseSafetyForLife.com](http://www.ChooseSafetyForLife.com)

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